

FILED

SEP 10 2020

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No.
)
Z'CORE HESTER-HENDERSON,)
)
Defendant.)

4:20CR00519 SEP/SPM

**UNITED STATES OF AMERICA'S
MOTION FOR PRETRIAL DETENTION AND HEARING**

The United States of America, by and through its attorneys, Jeffrey B. Jensen, United States Attorney for the Eastern District of Missouri, and Derek J. Wiseman, Assistant United States Attorney for said District, moves the Court to order the defendant detained pending trial, and further requests that a detention hearing be held three days from the date of the defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, §3141, et seq. In support of this motion, the United States of America provides the following.

I. There is a Rebuttable Presumption of Detention in This Case.

The defendant is charged with an offense for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act (21 U.S.C. 801 et seq.). *See* Doc. 1. In addition, the defendant is also charged with possessing a firearm in furtherance of a drug trafficking crime. *Id.* Both of those charged offenses trigger a rebuttable presumption of detention under Title 18, United States Code, Section 3142(e)(3)(A) and (B).

II. Applying the Rebuttable Presumption—Along With the Relevant Factors Under Title 18, United States Code, Section 3142(g)—There are No Conditions That Will Reasonably Assure the Appearance of the Defendant or the Safety of the Community.

Both the nature and circumstances of the charged offenses and the weight of the evidence in this case warrant detention. *See* 18 U.S.C. § 3142(g)(1)(2). The facts of this case reveal that the defendant was pulled over in a traffic stop on April 27, 2020. During that traffic stop, the officer discovered that the defendant had a warrant out for his arrest, and the officer subsequently arrested the defendant pursuant to that warrant. The officer later conducted an inventory search of the defendant's rental car, which revealed the 17 individually-wrapped baggies of marijuana pictured below along with a loaded firearm and a digital scale—all of which were within the defendant's reach when he was pulled over. Because this evidence is clearly consistent with drug trafficking—as opposed to mere drug possession—the weight of the evidence here is quite strong. Along with strong evidence, the fact that the defendant was caught riding around with a loaded **gun and a** distribution amount of narcotics demonstrates the danger that he poses to the community.



Furthermore, while the defendant has a limited record of documented criminal convictions, his history and characteristics still warrant detention. *See* 18 U.S.C. § 3142(g)(3). At only 22 years old, the defendant has already previously pleaded guilty to a weapons offense and larceny. And even though the defendant has not spent a substantial amount of time in prison, the recent investigation into the defendant reveals that he took part in incredibly serious criminal violations.

Indeed, the defendant is the primary suspect in the murder of a victim in Black Jack, Missouri on August 12, 2020. According to a witness who saw what occurred that day, the victim left his apartment to enter the victim's car that morning. As the victim approached his car, two men pulled into the parking lot in a rental car that was being rented by the defendant. Then, according to the eye witness, the two men exited the defendant's rental car and the victim was shot multiple times. After that, the two men returned to the defendant's rental car and fled the scene. The eye witness identified the defendant as the driver of his rental car.

This recent act of violence comes just three months after the defendant was caught driving around in another rental car with a loaded gun and a dealer amount of narcotics. In total, the actions of the defendant over the course of only a few months demonstrates his danger to the community and also his risk of flight.

WHEREFORE, based on the rebuttable presumption, along with relevant factors outlined in Title 18, United States Code, § 3142(g), the United States respectfully moves for an order of detention.

Respectfully submitted,
JEFFREY B. JENSEN
United States Attorney

/s/ Derek J. Wiseman
DEREK J. WISEMAN, #67257MO
Assistant United States Attorney